

**ENTERED**

January 13, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

IMADE ANTHONY OSARINMWIAN	§	
	§	
VS.	§	
	§	MISC. ACTION NO. M-12-485
TEXAS DEPARTMENT OF CRIMINAL	§	
JUSTICE, CORRECTINAL	§	
INSTITUTION DIVISION, <i>et al.</i>	§	

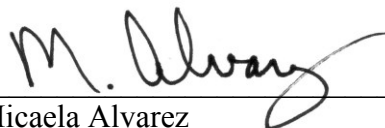
**ORDER ADOPTING REPORT AND RECOMMENDATION**

Pending before the Court is Plaintiff Imade Anthony Osarinmwian's civil rights action pursuant to 42 U.S.C. § 1983, which had been referred to the Magistrate Court for a report and recommendation. On October 13, 2020, the Magistrate Court issued the Report and Recommendation, recommending that this action be dismissed for failure to prosecute. The time for filing objections has passed and no objections have been filed.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error.<sup>1</sup> Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Accordingly, it is hereby ORDERED that Plaintiff's § 1983 civil rights action is **DISMISSED**.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 13th day of January, 2021.

  
\_\_\_\_\_  
Micaela Alvarez  
United States District Judge

<sup>1</sup> As noted by the Fifth Circuit, "[t]he advisory committee's note to Rule 72(b) states that, '[w]hen no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Douglas v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1420 (5th Cir. 1996) (quoting FED. R. CIV. P. 72(b) advisory committee's note (1983)) *superseded by statute on other grounds* by 28 U.S.C. § 636(b)(1), as stated in ACS Recovery Servs., Inc. v. Griffin, No. 11-40446, 2012 WL 1071216, at \*7 n.5 (5th Cir. Apr. 2, 2012).